

1 MICHAEL BARNES (State Bar No. 121314)  
2 JOHN L. WILLIAMS (State Bar No. 129918)  
3 SONNENSCHN NATH & ROSENTHAL LLP  
4 525 Market Street, 26th Floor  
5 San Francisco, CA 94105  
6 Telephone: (415) 882-5000  
7 Facsimile: (415) 882-0300  
8 Email: mbarnes@sonnenschein.com  
9 jwilliams@sonnenschein.com

10 Attorneys for Defendant  
11 ALLSTATE INSURANCE COMPANY

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN JOSE DIVISION

15 RUSSELL D. ERIKSON and KAY E.  
16 ERIKSON,

17 Plaintiffs,

18 vs.

19 ALLSTATE INSURANCE COMPANY;  
20 JAMES KINNEY, KATHARINE K.  
21 OSWALD, and Does 1 through 10,

22 Defendants.

Case No. C 06-01928 JW

STIPULATION TO ORDER CONTINUING  
PRE-TRIAL DATES AND [PROPOSED]  
ORDER

23 **STIPULATION**

24 Pursuant to Local Rules 6.1(b) and 6.2, Plaintiffs, Russell D. Erikson and Kay E. Erikson, and  
25 Defendant, Allstate Insurance Company, by and through their respective counsel of record, hereby  
26 stipulate to entry of an order extending the currently set pre-trial dates as follows:

27 (1) Close of discovery shall be continued from extended January 30, 2007 to March 1, 2007.

28 (2) The last day for filing dispositive motions shall be continued from January 26, 2007 to  
February 26, 2007, and the last day for hearing on dispositive motions shall be continued from March  
2, 2007 to April 2, 2007.

(3) The pre-trial conference set for March 19, 2007 shall be continued to April 23, 2007 or such other date as is convenient for the Court.

The parties request the foregoing extension of time because they are presently engaged in discussing a potential settlement of this action following their Early Neutral Evaluation conference. The brief continuance requested will facilitate the parties' settlement discussions.

There has been one previous modification of the pre-trial calendar in this case pursuant to a stipulation and order dated October 11, 2006.

No trial date has been set.

Respectfully submitted,

RUTAN & TUCKER, LLP

Dated: January 17, 2007

By: 

Paul E. Rice

Attorneys for Plaintiffs Russell D. Erikson and Kay E. Erikson

SONNENSCHN NATH & ROSENTHAL LLP

Dated: January 17, 2007

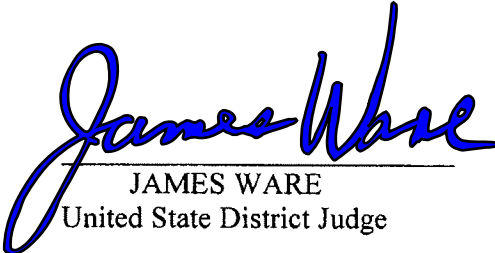
By: 

John L. Williams

Attorneys for Defendant Allstate Insurance Company

**IT IS SO ORDERED:**

Dated: January 19, 2007

  
JAMES WARE  
United State District Judge

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